

1 BILL NO. R-84-08-*34*

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3 RESOLUTION NO. R-*105-84*

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8 A RESOLUTION FINDING, DETERMINING
AND RATIFYING AN INDUCEMENT RESOLUTION
OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
AUTHORIZING THE ISSUANCE AND SALE OF
\$1,355,000.00 ECONOMIC REVENUE BONDS OF THE
CITY OF FORT WAYNE, INDIANA,
FOR THE PURPOSE OF INDUCING THE APPLICANT,
P. A. WHITEMAN AND J. L. GARRISON OR THEIR ASSIGNEE
TO PROCEED WITH THE ACQUISITION
CONSTRUCTION AND EQUIPPING OF THE PROJECT.

9
10 WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer") is
11 authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue
12 bonds for the financing of economic development facilities, the
13 funds from said financing to be used for the acquisition,
14 construction and equipping of said facilities, and said facili-
15 ties to be either sold or leased to another person or directly
owned by another person; and

16 WHEREAS, P. A. Whiteman And J. L. Garrison Or Their Assignee
17 (the "Applicant") has advised the Fort Wayne Economic Development
18 Commission and the Issuer that it proposes that the Issuer acquire
19 and equip an economic development facility and sell and/or lease
20 the same to the Applicant or loan proceeds of an economic develop-
21 ment financing to the Applicant for the same, said economic
22 development facility to be acquisition of real estate and construc-
23 tion of a facility together with the machinery and equipment for
24 lease to Lincolnway International Trucks, Inc., said facility to
25 be used for new truck sales and service and truck leasing, includ-
26 ing costs of issuance, said facility to be located at 2817 Goshen
27 Road, Fort Wayne, Indiana (the "Project"); and

28 WHEREAS, the diversification of industry and an increase in
29 20 jobs to be achieved by acquisition and construction and
30 equipping of the Project will be of public benefit to the health,
31 safety and general welfare of the Issuer and its citizens; and

32 WHEREAS, having received the advice of the Fort Wayne

1 Economic Development Commission, it would appear that the
2 financing of the Project would be of public benefit to the
3 health, safety and general welfare of the Issuer and its
4 citizens; and

5 WHEREAS, the acquisition and construction of the facility
6 will not have an adverse effect on any similar facility already
7 constructed or operating in or about Fort Wayne, Indiana.

8 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
9 THE CITY OF FORT WAYNE, INDIANA:

10 SECTION 1. The Common Council finds, determines, ratifies
11 and confirms the promotion of diversification of economic
12 development and job opportunities in and near Fort Wayne, Indiana
13 and in Allen County, is desirable to preserve the health, safety
14 and general welfare of the citizens of the Issuer; and that it
15 is in the public interest that Fort Wayne Economic Development
16 Commission and said Issuer take such action as it lawfully may
17 to encourage diversification of industry and promotion of job
18 opportunities in and near said Issuer.

19 SECTION 2. The Common Council further finds, determines,
20 ratifies and confirms that the issuance and sale of revenue bonds
21 in an amount not to exceed \$1,355,000.00 of the Issuer under the
22 Act for the acquisition, construction and equipping of the
23 Project and the sale or leasing of such a financing to the
24 Applicant for such purposes will serve the public purpose
25 referred to above, in accordance with the Act.

26 SECTION 3. In order to induce the Applicant to proceed
27 with the acquisition, construction and equipping of the Project,
28 the Common Council hereby finds, determines, ratifies and confirms
29 that (i) it will take or cause to be taken such actions pursuant
30 to the Act as may be required to implement the aforesaid financing,
31 or as it may deem appropriate in pursuance thereof, provided that
32 all of the foregoing shall be mutually acceptable to the Issuer and

1 the Applicant; and (ii) it will adopt such ordinances and
2 resolutions and authorize the execution and delivery of such
3 instruments and the taking of such action as may be necessary
4 and advisable for the authorization, issuance and sale of said
5 economic development bonds.

6 SECTION 4. All costs of the Project incurred after the
7 passage of this Inducement Resolution, including disbursement or
8 repayment of the Applicant of monies expended by the Applicant
9 for planning, engineering, interest paid during construction,
10 underwiriting expenses, attorney and bond counsel fees, acquisition,
11 construction and equipping of the Project will be permitted to be
12 included as part of the bond issue to finance said Project, and
13 the Issuer will thereafter either sell or lease the same to the
14 Applicant or loan the proceeds of such financing to the Applicant
15 for the same purposes.

Mark C. Giunta
COUNCILMAN

ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION
AND APPROVED AS TO FORM..

John J. Wernet, Attorney for the
Economic Development Commission
Dated this 27th day of August, 1984.

~~APPROVED AS TO FORM AND LEGALITY.~~

Bruce O. Boxberger, City Attorney
Dated this 27 day of August, 1984.

Read the first time in full and on motion by GiaQuinta, seconded by Talarico, and duly adopted, read the second time by title and referred to the Committee GiaQuinta (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____.M., E.S.

DATE: 8-28-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by GiaQuinta, seconded by Redd, and duly adopted, placed on its passage. PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	—	—	1	—
<u>BRADBURY</u>	✓	—	—	—	—
<u>BURNS</u>	✓	—	—	—	—
<u>EISBART</u>	✓	—	—	—	—
<u>GiaQUINTA</u>	✓	—	—	—	—
<u>HENRY</u>	✓	—	—	—	—
<u>REDD</u>	✓	—	—	—	—
<u>SCHMIDT</u>	—	—	—	✓	—
<u>STIER</u>	✓	—	—	—	—
<u>TALARICO</u>	✓	—	—	—	—

DATE: 9-11-84

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. Q-105-84
on the 11th day of September, 1984.

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Bay-Lee Bark
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 12th day of September, 1984,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of September,
1984, at the hour of 2:00 o'clock P.M., E.S.T.

Win Moses Jr.
WIN MOSES, JR., MAYOR

BILL NO. R-84-08-34

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS REFERRED AN
ORDINANCE A RESOLUTION FINDING, DETERMINING AND RATIFYING AN
INDUCEMENT RESOLUTION OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
AUTHORIZING THE ISSUANCE AND SALE OF \$1,355,000.00 ECONOMIC REVENUE
BONDS OF THE CITY OF FORT WAYNE, INDIANA, FOR THE PURPOSE OF INDUCING
THE APPLICANT, P.A. WHITEMAN AND J.L. GARRISON OR THEIR ASSIGNEE
TO PROCEED WITH THE ACQUISITION CONSTRUCTION AND EQUIPPING OF THE
PROJECT

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE By PASS.

MARK E. GIAQUINTA, CHAIRMAN

Mark E. Giacinta

JAMES S. STIER, VICE CHAIRMAN

J.S.

JANET G. BRADBURY

Janet G. Bradbury

THOMAS C. HENRY

Thomas C. Henry

DONALD J. SCHMIDT

Absent

CONCURRED IN

SANDR E. MENNEMA, CLERK

9-11-84